

LIMITED SOURCES JUSTIFICATION
ORDER >\$3,000
FAR PART 8.405-6(g)

2237 Transaction # or Vista Equipment Transaction #: 575-14-3-822-0044

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source: Provide original manufacturer's name for material or contractor's name for service. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer/Contractor: Siemens Med Solutions

Manufacturer/Contractor POC & phone number: Brian Lawinger 800-422-8766 x7453

Mfgr/Contractor Address: 186 Wood Ave South

Dealer/Rep address/phone number: Same as above

☒ The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Grand Junction VAMC

2121 North Ave

Grand Junction, CO 81501

NCO:

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(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

The Radiology Department has ultra sound equipment that needs yearly maintenance to insure reliable testing for the GJ VAMC patients.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

1. The procurement is to provide service and support for the Ultrasound systems, which are owned by VA Grand Junction located in the Radiology department and is comprised of proprietary interface software components. The systems are password protected and software is proprietary to Siemens.

(b) ESTIMATED DOLLAR VALUE: \$ 22,105.92

(c) REQUIRED DELIVERY DATE: 6/1/14

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE. (CHECK ALL THAT APPLY AND COMPLETE)

☐ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

☒ A patent, copyright or proprietary data limits competition. The proprietary data is:
The Sequoia Acuson Ultrasound software is proprietary to Siemens, is password protected and it is available through their VA NAC Contract V797P-6029B.

☐ These are "direct replacements" parts/components for existing equipment.

☐ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

☐ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

☐ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

Per FAR 8.404(d) Pricing - Use of Federal Supply Schedules the VA NAC already determined the pricing to be fair and reasonable. Services were purchased on NAC Contract V797P-6029B last year 2013 under Task Order VA259-13-J-2309 in the amount of \$22,106.00.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

Due to the password protection on the system, no other market research was conducted at this for this service requirement.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

No actions to overcome barriers may be taken at this time since the software is proprietary to Siemens Medical Solutions USA, Inc and the VA NAC has delegation authority over the contract. Delegation of Authority has been submitted by Steven R. Gardner.

(9) REQUIREMENTS CERTIFICATION: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

Susan Brett Farnsworth

SIGNATURE

5/2/14

DATE

Susan Brett-Farnsworth

Procurement and Resource Specialist Logistics

NAME

TITLE

SERVICE LINE/SECTION

GJVAMC, CO

FACILITY: VISN 19

(10) Approvals in accordance with FAR 8.405-6

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Steven R. Gardner

Name: Steven R. Gardner

Title: Contracting Officer

Facility: NCO 19, Grand Junction

05/02/2014

Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.

David Medina

Name: David Medina

Title: Services Supervisor

Facility: NCO19 Denver

5/5/2014

Date